

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

United States Courts Southern
District of Texas

for the

Southern District of Texas

FILED

01/30/21

United States of America)

v.)

Nestor CARBAJAL-Alvarez)

YOB: 1988)

COB: Mexico)

Case No. **M-21-0250-M**

Nathan Ochsner, Clerk of Court

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 01/29/2021 in the county of Hidalgo in the
Southern District of Texas, the defendant(s) violated:

*Code Section**Offense Description*

21 USC § 841

It shall be unlawful for any person to knowingly or intentionally possess with
 intent to distribute or dispense, a controlled substance — Fentanyl (schedule
 II) and Cocaine (schedule II)

21 USC § 952

And knowingly and intentionally illegally import into the United States
 approximately 4.6 kilograms of fentanyl and 43.08 kilograms of cocaine both
 schedule II controlled substances.

This criminal complaint is based on these facts:

See Attachment "A"

☒ Continued on the attached sheet.

Complaint approved by AUSA A. Castro

Submitted by reliable electronic means, sworn to
 and attested to telephonically per Fed. R. Cr.4.1,
 and probable cause found on:

/S/ Cordero B. Contreras

Complainant's signature

Cordero B. Contreras, HSI Special Agent

*Printed name and title*Date: 1/30/2021 @5:05pm

*Judge's signature*City and state: McAllen, Texas

U.S. Magistrate Judge N. Medrano

Printed name and title

"ATTACHMENT A"

I am a Special Agent (SA) of the United States Homeland Security Investigations (HSI), and have knowledge of the following facts:

On January 29, 2021, Nestor CARBAJAL-Alvarez entered the United States through the Pharr, Texas Port of Entry (POE) operating a tractor trailer.

Upon primary inspection Customs and Border Protection (CBP) officers referred CARBAJAL-Alvarez and the tractor trailer to secondary due to the shipment being a first-time importer. Entry documents indicated that it was a shipment of limes.

Upon secondary inspection CBP officers conducted a non-intrusive image scan of the tractor trailer, which revealed anomalies in the trailer floor area near the 5th wheel of the landing gear. Upon physical inspection CBP officers noticed tampering to the trailer's landing gear. CBP officers drilled through the floor of the trailer and a white powdery substance was extracted which field tested positive for the characteristics of cocaine and fentanyl.

Further inspection of the tractor trailer resulted in the discovery of forty (40) packages concealed within the floor bed of the trailer. CBP officers field tested the packages thirty-six (36) tested positive for the properties of cocaine and four (4) tested positive for the properties of fentanyl, both of which are a controlled substance. The packaged cocaine and fentanyl totaled 47.5 kilograms.

Homeland Security Investigation (HSI) Special Agents (SA), advised CARBAJAL-Alvarez his Miranda warnings in the Spanish language, CARBAJAL-Alvarez stated he understood, and waived in writing.

Post Miranda, CARBAJAL-Alvarez admitted to knowing that there was a controlled substance in the trailer, but he did not know the amount. CARBAJAL-Alvarez stated he was going to off load the limes in McAllen, Texas. CARBAJAL-Alvarez stated after he offloaded the limes, he was going to drop off the trailer at a gas station near McAllen, Texas and a person unknown to him would pick up the trailer.